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February 1, 2007

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Wildman, Harrold, Allen & Dixon LLP  
225 West Wacker Drive, 28<sup>th</sup> Floor  
Chicago, Illinois 60606-1229

**Re: Indeck Keystone Energy, LLC v. Victory Energy Operations, LLC**

Dear Chris:

I am writing concerning VEO's production of documents pertaining to the Voyager boiler.

Although VEO has produced design drawings for certain Voyager boilers, it appears that it has not made complete production of drawings for all of the Voyagers sold. We received documents produced by MECS that include a VEO brochure referring to the fact that "several" Voyager boilers are currently in operation. In addition, VEO's "O-Type Steam Generators Project Reference List" identifies sixteen (16) boilers that should have shipped by now and for which there should be final design drawings. VEO evidently has been selling the Voyager as "custom" steam generating systems, so there will be design differences among them such that the design for a particular boiler is not representative the design for all boilers.

In particular, Indeck seeks the designs for the superheated Yuma Boiler that was scheduled to be delivered in November 2006. VEO licensed a superheated application from EPTI and received drawings and technical support for that application, which warrants production of those designs. I also note that there was a superheated application sold to Cilion for which Indeck also seeks the designs.

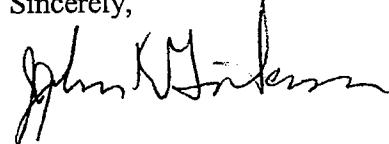
In addition to design drawings for all of the Voyager boilers on the Project Reference List, Indeck seeks Voyager proposals sent by VEO for those projects. It was clear from the MECS proposals that VEO used the same or substantially the same language to describe the Voyager boiler that it used for the Keystone boilers. As to the Abengoa project, which is shown as having a delivery date of August 2006, Indeck seeks those proposals because VEO initially sent a proposal to Abengoa for a Keystone boiler, but it appears that VEO substituted a Voyager instead. That apparently was the first Voyager sold, making its proposals especially pertinent.

Schnader  
ATTORNEYS AT LAW

Christopher T. Sheean, Esq.  
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Please advise whether VEO will produce the requested documents without the need for  
Indeck to file a Motion to Compel.

Sincerely,



John K. Gisleson  
For SCHNADER HARRISON SEGAL & LEWIS LLP

JKG:caa

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